#

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4254 OF 2006

Vijaydeep D. Bhole @ Gotya .. Applicant

Versus

State of Maharashtra .. Respondent

Mr.M.K.Kochrekar for applicant

Mr.Rajesh More, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 7th December 2006

P.C.

. Applicant has been arrested in connection with C.R.No.88 of 2006 registered at L.T.Marg police station, Mumbai. Arrest is effected on

15th May 2006 for offences punishable under section 392, 342, 452 read with 34 I.P.C.

2. The investigations are complete and charge sheet is filed. Applicants' application for bail is rejected mainly on the ground that there is recovery of cash amount of Rs.2000/- and country made revolver at the instance of present applicant. More importantly, he is involved in similar offences registered with Dongri and M.R.A. Marg Police station.

3. Mr.Kochrekar states that applicant has been enlarged on bail in these cases, which fact is not disputed by the learned A.P.P. Before the Additional Sessions Judge a statement was made that the applicant, if enlarged on bail, is likely to indulge in similar offences. He is an habitual offender and may abscond, if released on bail. Mr.Kochrekar states that the applicant would abide by all conditions imposed by this Court including that he should not leave Mumbai

without prior permission of the trial court. Applicant has a permanent residence at the address mentioned in the cause title and prior to arrest he was residing there.

4. In the above circumstances, when investigations are complete and charge sheet is filed, so also the applicant being enlarged on bail in other cases, following order would meet the ends of justice.

i) The applicant arrested in connection with C.R.No.88 of 2006 registered with L.T. Marg_Police Station shall be enlarged on bail in the sum of Rs.15,000/- with one or two local sureties in the like amount.

ii) The bail is granted subject to condition that the applicant will remain present before the concerned investigating officer of L.T. Marg

Police Station once a week on every Saturday between 5.00 p.m. and 7.00 p.m. till conclusion of the trial.

iii) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the Investigating officer.

iv) The bail is granted subject to condition that the applicant shall not directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

v) The applicant shall cooperate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

viii) Parties to act on an authenticated copy of this order.

(S.C.DHARMADHIKARI, J)